

JOSE MAXIMILIAN PADILLA

FEBRUARY 10, 2010

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1 A. Yes.

2 Q. And then the windows that the blinds
3 were on that were involved in Max's accident, are
4 they accurately depicted there on the left side?

5 A. Yes, they are correct.

6 Q. And then at the bottom of the diagram
7 turned at an angle it looks like there is a taller
8 dresser; is that correct?

9 A. Yes.

10 Q. Was there any other permanent
11 furniture in Max's bedroom other than what is
12 shown in this diagram on the day of his accident?

13 THE INTERPRETER: Pardon me? Can you
14 repeat that.

15 BY MR. WILLIAMS:

16 Q. Was there any other furniture that
17 was permanently in this room on the day of his
18 accident?

19 A. There was a T.V. on the corner, and
20 there was a lamp there.

21 Q. A lamp on the --

22 A. On that table.

23 Q. On the end table closest to the
24 window?



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1 A. On the end table close to the window,
2 yes.

3 Q. Was there a DVD player with the
4 television on the dresser?

5 A. Yes. It was integrated with the T.V.

6 Q. Did Max when he would watch a DVD of
7 Spiderman or Kars or something like that, would he
8 usually do that in his bedroom or was the family
9 in some other room?

10 A. He was sometimes alone, sometimes
11 with me. I would go -- I, meaning him, would go
12 to the bed and watch together with him.

13 Q. Okay. Now, I need to show you some
14 photos.

15 I know this is a part that will be
16 difficult, but let's hand them to you and get
17 started; and for the record, I am referring to the
18 photographs that were marked previously as Exhibit
19 3-A through 3-N as in Nancy.

20 And I have extra copies if anyone
21 needs them, Arturo.

22 MR. JAUREGUI: Okay.

23 BY MR. WILLIAMS:

24 Q. Mr. Padilla, I am handing you a set



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1 MR. MAHONEY: Was the answer completed?

2 Can you read back the last question
3 and answer, please.

4 (WHEREUPON, the record was read
5 by the reporter.)

6 BY MR. MAHONEY:

7 Q. Mr. Padilla, how high was the DVD
8 section of the T.V. off the ground in Max's room?

9 A. Like that. I used to put the movies
10 because he could not reach.

11 Q. I just want to make sure.

12 What you showed us was about your
13 shoulder height as you are seated.

14 Was that about four feet off the
15 ground?

16 A. I need to stand up.

17 Q. That is fine. All I want to do is
18 ask you, can you estimate how many feet it was
19 from the ground to the DVD section of the T.V.?

20 MR. JAUREGUI: Can you please instruct him
21 that if he has a good faith estimate, fine.
22 Otherwise, I don't want him guessing.

23 BY THE WITNESS:

24 A. He says that the dresser has about



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